

## **The Social Security Administration's (SSA) Freedom of Information Act (FOIA) Improvement Plan Under Executive Order 13392**

### A. Overall Nature of Agency's FOIA Operations

SSA processed over 17,000,000 FOIA and Privacy Act (PA) access requests during fiscal year (FY) 2005 in various locations. Most FOIA requests were handled in the two FOIA Requester Service Centers in Baltimore, Maryland, while the vast majority of PA access requests were processed in about 1,400 regional and field offices.

The primary FOIA Requester Service Center is the Office of Public Disclosure (OPD), which handles and processes about 2,500 requests annually, including the most complex FOIA requests. These requests often require OPD to seek materials from other SSA components, and in some cases to seek a legal opinion before responding to a request. OPD also processes all FOIA appeals for the Agency. OPD uses a semi-automated system to track and control its workloads, and to produce *ad hoc* management information reports.

The second FOIA Requester Service Center is in the Division of Earning Records Operations (DERO) in the Office of Central Operations. DERO processes about 50,000 requests for copies of Social Security number (SSN) applications annually, as well as requests for detailed earnings records and SSN extracts (Numidents). The requests for copies of the SSN application are usually from people who are conducting genealogical research. DERO uses a different semi-automated system than OPD's to track, control and obtain management information reports for its workload. Further, it uses a different system to track and process requests for detailed earnings records and Numident requests.

The remaining workload consists of PA access requests processed in regional and field offices. Over the past few years, we experienced a sharp increase in the number of such requests, as well as requests for earnings records, benefit verification services and Numidents. This increase resulted from more requests and from better reporting and better management information. We have seen a new workload from private and public entities, such as mortgage companies, banks and insurance companies, who ask customers and clients to consent to verify SSNs or benefit amounts for their business processes. We rarely deny simple PA requests and individual access requests, which contributes to SSA's comparatively low percentage of denials and our quick turnaround time. We usually satisfy PA access requests the same day, and we process very quickly simple consent-based disclosures. In addition, field offices process other kinds of requests, such as requests for information from a manual, for copies of the Social Security Act, SSA regulations, or operating procedures.

### B. Areas Selected For Review

Our review primarily focused on OPD's operations as a service provider, and to a lesser extent, those of DERO and regional and field offices. SSA has been assiduously working on service and process improvements during the last three years, and has already managed to achieve many improvements and enhancements. This review reassessed previous activities and sought further

opportunities to continue elevating the quality of SSA's FOIA operations and administration. The review focused on several areas, including the reasons for delays in processing complex requests, the impact of expected systems enhancements that will occur as a result of a new fully-automated FOIA system (e-FOIA), and whether the existing organization structure of OPD could be changed to achieve more efficiencies and control over OPD workloads.

### C. Summary of Review Results

The review revealed that SSA's FOIA operations are functioning efficiently, and that SSA is responsive to its FOIA customers and provides excellent service, conclusions corroborated by the timeliness of the large majority of FOIA responses. SSA's management (OPD within the Office of the General Counsel) pays close attention to FOIA operations, administration and policy in SSA.

DERO has improved its operations through diligent management controls and tracking of cases to ensure that incoming requests are handled promptly and processed within the statutory FOIA timeframes. DERO increased FOIA part-time and full-time personnel over the last few years to accommodate increased workloads and to ensure the efficiency of its operations.

Regional and field offices have contributed to improvements in FOIA and PA access requests processing. They are devoting more resources and instituting better and more accurate reporting practices to access workloads.

### D. Areas Chosen As Improvement Areas for Agency Plan

Agency FOIA operations, as mentioned above, are functioning efficiently and SSA has been very responsive to its FOIA customers. We continue, however, to seek new avenues for further improvement, including:

1. **Streamlining operations:** OPD has just received an approved plan to modify its procedures and processes to streamline cumbersome workflows. Under the approved plan, work will be routed more efficiently and reviewed more thoroughly to enhance the quality of responses. Under the old process, analysts were limited in work assignments. However, the new plan is designed to provide greater opportunity for senior analysts to assist with complex FOIA matters that involve projects in which those analysts may have been directly involved. The old assignment system did not always make use of this flexibility.

**Goal:** Improve procedures and processes in assigning and reviewing work **Target completion: 12-31-06. Completed.**

#### **Steps**

- Publish organizational changes in SSA Organization Manual. **Completed 5-26-06.**
- Announce openings for Division Director positions. **Completed 9-04-06.**

- Make selections for Division Director positions. **Completed 10-29-06.**
- Train staff on organizational changes. **Completed 11-15-06.**
- Realign staff. **Completed 11-26-06.**
- Begin functioning according to new plan. **Completed 11-28-06.**

2. **Systems Enhancements:** OPD has been working with contractors and SSA's Office of Systems to inaugurate a robust, comprehensive new e-FOIA system to handle all requests made to both FOIA Requester Service Centers. The comprehensive system will help both offices track all transactions from the time of receipt until the time a response is sent to the FOIA requester. The systems we currently use are only semi-automated, and lack many features that are included in the e-FOIA system, which has been accepted and is now in the early stages of deployment. We anticipate that it will begin to be in use by the end of FY 2006. Some of its enhanced features include:

- An Internet interface that makes it easier for the public to route requests to SSA, and for SSA employees to use. This feature will also allow SSA to receive Internet requests using a secure technology that will route requests and automatically assign them to analysts;
- The ability to receive and process credit card payments via the Internet using secure channels (through the Department of Treasury's pay.gov service) and transfer payment information to SSA's financial accounting system;
- Extensive management information to help manage the FOIA process and facilitate the preparation of the FOIA annual report;
- A workflow and document imaging management system;
- The electronic redaction of information exempt from disclosure under FOIA in responses;
- Automated case processing via numerous built in features such as FOIA exemption specific help screens;
- A searchable database with the ability to easily retrieve data and other information;
- The automatic generation of alerts relating to timeliness; and,
- The ability to automatically calculate fees for responding to FOIA requests.

**Goal:** Improve procedures and processes in controlling, managing, and processing work.  
**Begin implementation: 12-31-06. Completed.**

#### **Steps**

- Complete acceptance testing. **Completed 9-30-06.**
- Install necessary hardware/software. **Completed 9-30-06.**
- Train staff on new system. **Completed 12-20-05.**

- Implement feature to accept credit card payment through pay.gov. **Completed 9-30-06**

- Begin using new system to control and process work. **Completed 10-1-06.**

3. **Training:** OPD emphasizes continuous training for all of its employees as well as other employees who serve as liaisons to SSA's regional offices and other components. We plan to continue such training, especially since we anticipate losses of experienced analysts in the next few years. We have budgeted for annual FOIA training to allow personnel to attend FOIA training given by organizations such as the American Society for Access Professionals (ASAP). Staff is encouraged to attend training sessions and symposia given by outside organizations such as ASAP. In addition, several staff members, especially those who are newer to handling FOIA requests, have attended Department of Justice FOIA training in Washington, D.C. in the past two years. We intend to continue encouraging attendance at such forums in the future.

**Goal:** Ensure that new FOIA analysts and new liaisons in other offices are trained in FOIA and older staff members receive update and enrichment training. **Target completion: Ongoing.**

#### **Steps**

- Host training conference for OPD employees and regional and headquarters liaisons in SSA offices, as well as other interested headquarters personnel. **Target completion: Completed 8-3-06.**
  - On a quarterly basis or more often, inform staff of availability of upcoming training and encourage attendance. **Target Completion: 9-30-06, 12-31-06, 3-31-07, 6-30-07, 9-30-07, 12-31-07 and ongoing.**
  - Schedule in-house training for new employees and update/enrichment training for current employees as needed. **Target Completion: Ongoing.**
4. **Backlogs:** OPD has a miniscule backlog, especially in light of the Agency's considerable workload in this area. Nonetheless, SSA intends to continue to reduce its backlog, with the ultimate goal to eliminate it entirely. We will do so through weekly management meetings, managerial oversight of the workload, and considerable executive attention to those requests that require other offices to provide OPD with responsive materials. We are also investigating the use of Agency-level control systems to expedite document production.

**Goal:** To reduce the existing backlog of initial FOIA requests by a substantial percentage each year (*i.e.*, 5% by 1-15-07, another 5% by 1-15-08, and another 5% by 12-31-08, as measured by number of requests pending beyond the statutory time frames), by periodically and consistently focusing on the existing backlog. **Target completion: 1-15-07, 1-15-08, 12-31-08.**

## Steps

- On a quarterly basis, the Executive Director of OPD will review existing backlog together with other staff members in order to determine the number of cases pending for more than the twenty days provided by statute. **To be completed by 10-15-06, 1-15-07, 4-15-07, 7-15-07, 10-15-07, 1-15-08, 4-15-08, 7-15-08, 10-15-08.**
- On a quarterly basis, or more often, the Executive Director of OPD along with the Deputy Executive Director will review the workload of each analyst to determine whether cases need to be redistributed and to consider, together with the Deputy Executive Director, the possible reallocation of resources where needed. **To be completed by 10-15-06, 1-15-07, 4-15-07, 7-15-07, 10-15-07, 1-15-08, 4-15-08, 7-15-08, 10-15-08.**

**Goal:** To close at least 90% of the ten oldest FOIA requests pending each year. **Target completion: 12-31-06, 12-31-07, 12-31-08, 12-31-09.**

## Steps

- Identify the 10 oldest FOIA requests pending. **Completed for 2007.**
- Management staff meets weekly to discuss the 40 oldest FOIA requests and determine what steps need to be taken to complete the processing of these requests. **To be completed by each Friday.**
- Implement the steps we have determined need to be taken to complete the processing of the 10 oldest requests. **Completed 9-30-06.**
- Close at least 90% these requests. **Completed 12-22-06 for 2006.**
- Review the ten oldest FOIA requests that are pending as of January 2, 2007 and determine what steps need to be taken to complete the processing of these requests. **To be completed by 2-1-07.**
- Implement the steps we have determined need to be taken to complete the processing of the 10 oldest requests. **To be completed by 2-15-07.**
- Close at least 90% these requests. **To be completed by 12-15-07.**
- During calendar years 2008 and 2009, continue the process described in the preceding steps. **To be completed by 12-15-08, 12-15-09.**

5. **Staffing:** OPD will continue to monitor staffing levels and make recommendations to SSA leadership in order to ensure that the number of personnel dedicated to FOIA is adequate to process expected increasing workloads. However, we expect that staffing will continue to be a challenge, as SSA will continue to lose a large number of experienced employees in the next few years. Thus, it may be increasingly difficult to maintain appropriate employment levels to fulfill our mission in the manner in which we are accustomed.

**Goal:** To hire and maintain a highly qualified staff of analysts so that requests will be processed accurately in the shortest time possible. **Target completion: 7-1-07.**

**Steps**

- Announce opening for vacant position(s). **Ongoing; Last Completed 9-30-06.**
- Select employee(s) to fill position. **Ongoing; Last Completed 10-29-06.**
- Announce additional vacancies as the opportunity presents itself. **Ongoing; Last Completed 11-20-06.**

Areas anticipated to be completed by December 31, 2006

We anticipate that both the e-FOIA system and the OPD reorganization will be completed and implemented by the end of 2006.

- *As projected, the e-FOIA system was completed on 10/1/06 and the OPD reorganization was completed on 11/28/06. We expect that the systems enhancements that have provided a new fully-automated e-FOIA system, as well as the change to the existing organizational structure of OPD and our focus on backlogs, employee training, and additional staffing, will greatly improve our work processes and increase our efficiency and control over OPD workloads.*

All other activities described in this plan will be ongoing, and we will continue to report on their progress in future FOIA annual reports as directed by the President's Executive Order.